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THE OBJECT OF THE LICENSING OF ECONOMIC ACTIVITIES

The article is devoted to analysis of the object of licensing and development of scientifically based criteria for classifying certain types of economic activities to those that are object of licensing.

The relevance of this article is not in doubt, because the licensing system in Ukraine, as in other post-Soviet states are still in the making and this process is quite complicated and contradictory. Law of Ukraine “On licensing certain types of economic activities” does not include criteria for classifying types of economic activities to those that have to be licensed. It is a significant shortcoming of licensing legislation because it does not set the parameters to be decisive in addition or change the list of activities subject to licensing, which means that the list can be changed arbitrarily. The

excessive increase of such criteria can lead to unwarranted increase in activities that require licensing that will restrict the principle of freedom of establishment and the relevant constitutional right of everyone for business activity. In contrast, the intentional reduction of such criteria may adversely affect the quality of goods and services to be produced (provided) without licenses, lack of necessary controls may lead to injury to life and health of people, their rights and freedoms, security of society and the state.

The author has done serious work on the analysis of the legislation of Ukraine and foreign countries, as well as research in this area, the result of which are formulated the own authors criteria for determining of licensed business activities and respective proposals for legislation.